



UNITED STATES PATENT AND TRADEMARK OFFICE

m/l

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,803	01/30/2004	Marceau Coupechoux	Q79475	3115

23373 7590 03/13/2007
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
----------	--------------

2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
2 MONTHS	03/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/766,803	Applicant(s) COUPECHOUX ET AL.	
	Examiner Sanh D. Phu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-7 and 10-14 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 2,8,9 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 1/12/07.

Accordingly, claims 1-15 are currently pending.

Drawings

2. The drawings are objected to because functional blocks shown in figure 1 should be labeled with their corresponding functional names, (e.g., blocks (102), (104) and (106) labeled with "Access Point", etc.), in order to help viewers understand the system shown in the figure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets

Art Unit: 2618

may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 2, 8, 9 and 15 are objected to because of the following

informalities:

–Claim 2 recites the limitation "the wireless cellular telecommunication system is a IEEE 802.11-type network, a GSM-type network, a UMTS-type network or a WLAN-type network". The phrases "IEEE 802.11-type network", "GSM-type network", "UMTS-type network" and "WLAN-type network" render the claim unclear on what "type" of a IEEE 802.11-type network, a GSM-type network, a UMTS-type network or a WLAN-type network is intended to convey.

See M.P.E.P. 2173.05(b)E.

Claim 2 contains trademark/trade names "IEEE 802.11", "GSM", "UMTS" and "WLAN" to identify a network. As such, the claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular or produce. See M.P.E.P. 706.03(d).

It is suggested that the limitation "the wireless cellular telecommunication system is a IEEE 802.11-type network, a GSM-type network, a UMTS-type network or a WLAN-type network" is changed to --the wireless cellular telecommunication system is a network utilizing an IEEE 802.11 standard, a GSM standard, a UMTS standard or a WLAN standard --.

-Claim 8, line 8 recites the limitation "the node". This limitation is lack of antecedent basis, or this limitation renders the claim unclear on which of "first node" and one of "second nodes" the limitation refers to. It is suggested that the limitation is changed to --the first node--.

-Claim 15, lines 1 and 2 recites the limitation "the second node". The limitation renders the claim unclear on which of "second nodes", previously recited in claim 1, the limitation refers to. It is suggested that the limitation is changed to --the at least one of the second nodes--.

Appropriate correction is required.

-Claim 9, depended on claim 8, is therefore also objected.

Allowable Subject Matter

4. Claims 1, 3-7 and 10-14 are allowed.
5. Claims 8 and 9 would be allowable if rewritten or amended to overcome the objection(s), set forth in this Office action.
6. Claims 2 and 15 would be allowable if rewritten to overcome the objection(s), set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments, filed on 1/12/07, have been fully considered and are persuasive. The previous rejections have been withdrawn.

Conclusion

8. This application is in condition for allowance except for the above formal matters.

Prosecution on the merits is closed in accordance with the practice under

Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

Art Unit: 2618

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Th from 7:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sanh D. Phu
Examiner
Division 2618

SP

3/7/07

SANH D. PHU
PATENT EXAMINER

